

LABOR LAW CLINIC EDUCATIONAL OFFERINGS

(Updated 11/13/07)

The following educational topics are currently available for inclusion on the program at Labor Law Clinics produced by the Wisconsin Department of Workforce Development. Each Clinic will offer 2-4 of the following topics, as determined by the local co-sponsor. The presentations include handouts and last approximately 75 minutes each, unless otherwise indicated.

EQUAL RIGHTS – Fair Employment

PREPARING FOR FAIR EMPLOYMENT HEARINGS

Provides basic information about current Equal Rights Division hearing practices and procedures in contested cases, including settlements, notices of hearings and responses to notices, “discovery” (information exchange), subpoenas for witnesses and documents, and appeals.

AVOIDING ‘LOADED’ EMPLOYMENT APPLICATION AND INTERVIEW QUESTIONS

Asks you to consider: when was the last time you took a good look at that application form you’re using? what about interview questions? are any of them discriminatory or could they be interpreted as such? Looks at how the Wisconsin Fair Employment Law applies to the recruitment process and offers alternative questions to help avoid discrimination when gathering information needed to help choose the right candidate for the job.

YOU BE THE EQUAL RIGHTS INVESTIGATOR

Presents individual case summaries covering a variety of Wisconsin Fair Employment Law topics. Briefly explains the discrimination complaint process and then allows the audience to discuss cases as a group and decide how they would rule as an Equal Rights Investigator. Led by an experienced investigator.

FAIR EMPLOYMENT LAW BASICS

Offers a straightforward look at the basics of the Wisconsin Fair Employment Law (WFEL). Introduces the audience to Wisconsin’s law prohibiting discrimination in employment and serves as a foundation for further discussion. Also addresses topics such as prohibited actions by employers, groups protected under the law, employing individuals with disabilities, on-the-job harassment, dealing with a WFEL complaint, and other concerns which the audience may raise.

WORKPLACE HARASSMENT

Provides information about harassment under the Wisconsin Fair Employment Law. Includes a discussion of sexual harassment and harassment based on other characteristics such as race, color, national origin, and sexual orientation. Utilizes case law to illustrate concepts, emphasizes the importance of strong company policies prohibiting unlawful harassment, and provides suggestions for handling and investigating complaints.

EQUAL RIGHTS - Labor Standards

HOW TO CONDUCT A LABOR STANDARDS SELF-AUDIT

Explains how employers can conduct a “self-audit” to assess their current compliance with various labor standards laws. Provides information about the Labor Standards Bureau’s wage claims process and audits, including potential penalties that can be assessed against employers. Also covers topics such as an explanation of time and payroll record-keeping requirements of state law and suggestions as to how employers should document their fringe benefits, work rules, and disciplinary action policies.

AN OVERVIEW OF WISCONSIN’S LABOR STANDARDS LAW

Focuses on issues relating to overtime, hours of work, wage payment requirements, and minimum wage. Also includes a discussion of child labor. Time permitting, also provides information on topics such as the Business Closing/Mass Layoff Notification law and personnel records.

UNEMPLOYMENT INSURANCE

YOU BE THE UI JUDGE

Reviews summaries typical of actual, contested UI cases, allowing the audience members to decide how they would rule if they were the Administrative Law Judge. Covers issues such as discharges, quits, suspensions due to physical restrictions, and other miscellaneous specialty areas. Cases prepared and session led by an experienced UI Administrative Law Judge.

DECIDING WHO IS ELIGIBLE FOR UI BENEFITS

Provides an overview of the primary issues affecting employee eligibility and employer liability for Unemployment Insurance benefits. Includes a discussion of quits, discharges, offers of work, work available, and how terms such as “able to work” and “available for work” are defined by UI. Offers an opportunity for the audience to ask, and get answers to, questions about how and why UI benefits are paid.

DECIDING WHO IS ELIGIBLE FOR UI BENEFITS (EXPANDED VERSION)

Starts with a brief overview of monetary eligibility and a discussion of ‘able to work,’ ‘available for work,’ and discharge issues. Then moves on to issues involving quits, offers of work, work available, and various others as time permits. (Requires two consecutive 75-minute time periods.)

DEFINING MISCONDUCT UNDER WISCONSIN'S UI LAW

Identifies the factors used by UI staff and the courts to define misconduct which can result in a claimant’s disqualification for UI benefits. Covers what is and isn’t a termination for misconduct, including absenteeism, dishonesty, and violation of company rules. Also covers the basic elements which UI considers in its investigation of a discharge issue, what information UI requests from employers and claimants, and their appeal rights.

DEFINING MISCONDUCT UNDER WISCONSIN'S UI LAW (EXPANDED SESSION)

Covers the same material as the shorter presentation described above, but also includes a second session which looks at various cases illustrating different types of misconduct—and what some mistakenly perceive as misconduct. (Requires two consecutive 75-minute time periods.)

PREPARING FOR UNEMPLOYMENT INSURANCE HEARINGS

Provides a basic introduction to the appeal process, including how to decide whether or not to appeal an initial eligibility determination, how to effectively prepare for a hearing to ensure that the necessary evidence is presented, and what to do if dissatisfied with the decision of an Administrative Law Judge.

WORKER'S COMPENSATION

PREPARING FOR WORKER'S COMPENSATION HEARINGS

Provides practical advice on receiving employee accident reports, communicating with insurance carriers, and investigating reports of work injuries. Discusses the benefits to the employer of timely reporting and investigation. Also explains the employer's role at a hearing, including steps to follow when preparing and presenting testimony by the representatives of the employer.

UNDERSTANDING THE PRINCIPLES OF THE WORKER'S COMPENSATION LAW

Focuses both on an overview of the key principles underlying the WC system and on practical, useful ideas for employers to implement in handling WC claims. Includes advice on establishing an effective injury reporting process, receiving employee accident reports, communicating with WC insurance carriers, investigating reports of work-related injuries, and steps to follow when presenting evidence on behalf of employers at hearings.

WORKFORCE SOLUTIONS TOPIC – FRIDAY FUNDAMENTAL ONLY

EMPLOYER'S GUIDE TO CHILD SUPPORT

Provides an overview of the Wisconsin Child Support Program and support payment processing. Explains employer responsibilities for reporting new hires and withholding support from employee's income, as well as medical support issues such as enrolling children in court-ordered medical support. Also identifies resources and contacts for employers and offers an opportunity for the audience to ask questions.

